



Many Voices Working for the Community

Oak Ridge Site Specific Advisory Board

June 10, 2010

John Eschenberg
Assistant Manager for Environmental Management
DOE-Oak Ridge Office
P.O. Box 2001, EM-90
Oak Ridge, TN 37831

Dear Mr. Eschenberg:

Recommendation 190: "Bridge" Memorandum of Agreement for Site Interpretation of East Tennessee Technology Park on the Oak Ridge Reservation

On May 28, 2010, the Department of Energy-Oak Ridge Office (DOE-ORO) distributed via email a draft "bridge" Memorandum of Agreement (MOA) regarding site interpretation of East Tennessee Technology Park (ETTP) for historic preservation.

This bridge MOA was provided to all the consulting parties to an original MOA signed in 2005. The bridge MOA is somewhat in response to concerns raised by some of the consulting parties to a draft revised MOA sent to Patrick McIntyre, the Tennessee State Historic Preservation Officer on April 9, 2010, from DOE-ORO Manager Gerald Boyd.

The consulting parties questioned the validity of sending the revised MOA to Mr. McIntyre without first being consulted on its content. In addition, the revised MOA and accompanying cover letter indicated a feasibility study of mitigating options for historic preservation at ETTP had been contracted, again without input from the consulting parties.

We understand that the document is intended to accomplish three things:

- 1) Ensure DOE's continued compliance with the National Historic Preservation Act, while collectively attempting to reach a final MOA regarding any adverse effects on the K-25 Building at ETTP;
- 2) Revise several stipulations committed to in 2005 but now have been determined cannot be achieved; and
- 3) While the bridge MOA does not establish any final mitigation plans for historic facilities on the Oak Ridge Reservation, it does set forth a clear and transparent path for collectively reaching a final MOA regarding appropriate K-25 and possibly site-wide mitigation. The redraft reflects that the DOE feasibility study being completed to support the decision-making process along with DOE comments will be sent to all parties (both the signatory and consulting parties) concurrently. This alteration in comment timing confirms the commitment to an open and

collaborative approach to the consultation process, to assist in making the best public interest decisions for the K-25 Building; additionally, it directly addresses several comments received on the prior draft.

We, the undersigned, representing the Oak Ridge Site Specific Advisory Board as its chair and the board's representative as a consulting party, and sending this letter with the board's concurrence, feel that the bridge MOA is adequate as a "stop-gap" measure which allows DOE to remain in compliance with the National Historic Preservation Act until a specific MOA can be written after the feasibility study is completed.

We believe that DOE has the authority and right to contract for the feasibility study and that the signatories and the consulting parties (S&CP) should have been involved in the development of the scope of work, etc., as was pointed out in a letter dated May 18, 2010, to Mr. Boyd from the National Trust for Historic Preservation. While we do not agree with DOE's method for obtaining the feasibility study, it has been done and such is a matter of history now.

This bridge MOA simply avoids the feasibility study issue, except to assure that the S&CP will be involved in the report review process, which we see as an improvement. Likewise the bridge MOA avoids any reference to the Oak Ridge Reservation-wide historic preservation issues (calutrons, Graphite Reactor, etc.), an issue which was somewhat confusing in the April 2010 draft MOA. We agree that it is better to proceed with the feasibility study and reach a preferred alternative for the historic preservation/interpretation of K-25 and not confuse the matter with broader consideration of other historic preservation issues on the reservation.

To strengthen the bridge MOA, we recommend that DOE to address the following issues:

- Page 2, item 2. Why the delay on tearing down the North End of K-25 until June 30, 2011?
- Page 2, item 4. The "retention of the upper 10 feet" is not addressed, given the fact that this part of the structure cannot be salvaged. Is a substitute action proposed aside from marking the corners?
- Page 2, item 5. Assuming the due date of June 30, 2010, for the feasibility study can be met, can a date for distribution of the feasibility study be specified?
- Page 3, item C. Will DOE respond to comments, or simply "review and consider" them?
- Does the bridge MOA adequately address the issues raised in the National Historic Trust letter to Mr. Boyd dated May 18, 2010?

Our desire is to assist DOE in building a consensus between local groups, i.e. the Partnership for K-25 Preservation, the City of Oak Ridge, the State of Tennessee, the American Museum for Science and Energy, DOE, and other interested parties for what ought to be done, given that the terms of the original MOA cannot be met. We believe some type of interpretive center needs to be built. As you know, the Oak Ridge Site Specific Advisory Board has previously recommended that an unmanned interpretive center be built near the site of K-25 with additional exhibits at the American Museum of Science and

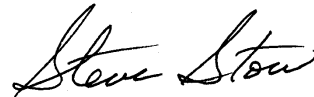
Energy (Recommendation 176, February 12, 2009). We hope the feasibility study considers this option as one of the possible solutions to this difficult issue.

Thank you for the opportunity to comment on the bridge MOA. We look forward to reviewing the draft feasibility study for preserving the history of ETTP and possibly other areas of significance on the Oak Ridge Reservation. Given the importance of the feasibility study to the public, we recommend that in addition to meeting with the S&CP that DOE hold a public meeting to announce and discuss the results. We would be happy to assist in hosting the meeting, if DOE desires.

Sincerely,



Ron Murphree, Chair
Oak Ridge Site Specific Advisory Board



Steve Stow, Consulting Party Representative
Oak Ridge Site Specific Advisory Board

cc:

Dave Adler, DOE-ORO
Tom Beehan, Mayor of Oak Ridge
Cate Brennan, DOE-HQ
Jim Comish, American Museum of Science and Energy
Amy Fitzgerald, City of Oak Ridge
Joseph Garrison, Tennessee Historical Commission
Susan Gawarecki, Local Oversight Committee
Skip Gosling, DOE Historic Preservation Officer
Pat Halsey, DOE-ORO
Gary Hartman, DOE-ORO
Connie Jones, EPA, Region 4
Thomas McCulloch, Advisory Council on Historic Preservation
Melissa Nielson, DOE-HQ
John Owsley, Tennessee Department of Environment and Conservation
Lloyd Stokes, Oak Ridge Heritage and Preservation Association
Katatra Vasquez, DOE-ORO
Bill Wilcox, Partnership for K-25 Preservation